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24
25 UNITED STATES DISTRICT COURT
26
27 CENTRAL DISTRICT OF CALIFORNIA

28 TRAFFICSCHOOL.COM, INC., A CALIFORNIA)
CORPORATION; DRIVERS ED DIRECT, LLC, A)
CALIFORNIA LIMITED LIABILITY COMPANY,)

29 PLAINTIFFS,

30 VS.

31 EDRIVER, INC.; ONLINE GURU, INC.; FIND
32 MY SPECIALIST, INC., AND SERIOUSNET,
33 INC., CALIFORNIA CORPORATIONS; RAVI K.
34 LAHOTI, AN INDIVIDUAL; RAJ LAHOTI, AN
35 INDIVIDUAL; AND DOES 1 THROUGH 10,

36 DEFENDANTS.

CASE No: CV 06-7561 PA (CWx)

37 **DECLARATION OF CHRISTOPHER**
38 **BALDWIN IN SUPPORT OF**
39 **DEFENDANTS' OPPOSITION TO**
40 **PLAINTIFFS' MOTION FOR**
41 **CONTEMPT**

42 DATE: FEBRUARY 2, 2009
43 TIME: 1:30 P.M.
44 PLACE: COURTROOM OF THE HON.
45 PERCY ANDERSON

46 I, Christopher Baldwin, hereby declare the following:

47 1. I am a Senior Project Manager at Online Guru, Inc. ("Online Guru"). I
48 have personal knowledge of the facts hereinafter stated and hereby testify competently
thereto as a witness in the above-captioned matter.

2. Online Guru is responsible for managing the business operations and content of the website located at www.dmv.org ("DMV.ORG").

BACKGROUND

3. I hold a Bachelors of Arts degree from Vanderbilt University, and I studied graphic design with a focus on web design and interactive multimedia at San Diego State University for four years. My technical capabilities include HTML, Dreamweaver, Flash, Photoshop, and Illustrator.

4. Over the course of my professional career, I have worked as a Web Designer and Web Master, and have been involved in and supervised all aspects of website design including website programming, graphic design, website administration, and website production. Among my responsibilities at Online Guru are the management and supervision of web development projects including visual design, information architecture, and creation of functional specifications. Along with other Online Guru employees, I was personally involved in the discussions and planning of the splash page ordered by this Court's August 26, 2008 Judgment and Permanent Injunction ("Injunction").

DMV.ORG'S SPLASH PAGE

5. The splash page displayed at DMV.ORG currently specifies a font size of 14 pixels for the disclaimer: “YOU ARE ABOUT TO ENTER A **PRIVATELY OWNED** WEBSITE THAT IS **NOT** OWNED OR OPERATED BY ANY STATE GOVERNMENT AGENCY. TO CONTINUE, CLICK ‘CONTINUE’ BELOW.”

SPECIFICATION OF FONT SIZE ON WEBSITES

6. As a graphic design student at San Diego State University, I was taught that pixels are the standard of measurement used for the display of characters for websites displayed on computer screens, while points are a standard of measurement for print media such as books and magazines. I was also taught that there are approximately 72 pixels in one inch, and approximately 72 points in an inch. In other words, a character displayed at 14 pixels on a computer monitor corresponds to a character displayed at 14

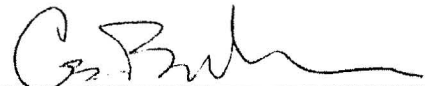
1 points.

2 7. Based on my own review, examples of popular websites which use pixels
3 to specify the font size displayed include, without limitation:

- 4 a. <http://usatoday.com/>
- 5 b. <http://www.cnn.com/>
- 6 c. <http://espn.go.com/>
- 7 d. <http://www.walmart.com/>
- 8 e. <http://www.bestbuy.com/>
- 9 f. <http://www.usps.com/>
- 10 g. <http://msn.foxsports.com/>
- 11 h. <http://www.nba.com/>
- 12 i. <http://www.circuitcity.com/>

13 8. Web designers use pixels because computer screens and their display
14 resolutions are specified in pixels – such as 1024 by 768 pixels for example.

15 I declare under penalty of perjury under the laws of the United States of America
16 that the foregoing is true and correct and that I executed this declaration on January 19,
17 2009 in San Diego, California.

18 
19 Christopher Baldwin